



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2005 Assembly Bill 829	Senate Amendment 1
<i>Memo published:</i> January 27, 2006	<i>Contact:</i> Laura Rose, Deputy Director (266-9791)

2005 Assembly Bill 829

2005 Assembly Bill 829 expands the Volunteer Health Care Provider Program to authorize providing certain services, without charge, to pupils from four-year old kindergarten to grade six in a public elementary school, a charter school, or a private school that participates in the Milwaukee Parental Choice Program (MPCP school) under certain circumstances. The bill's provisions relating to: (a) conditions for participation at a school; and (b) permitted and prohibited services are as follows:

a. Conditions for Participation at a School

The bill includes the following conditions for participation in the Volunteer Health Care Provider Program at a school as described above:

1. The provider and the school board of the school district in which the public elementary school is located or the governing body of a charter school or MPCP school must jointly submit an application to the Department of Administration (DOA). The application must include a statement certifying that the provider has: (a) received materials that specify the school board's or the governing body's policies about providing health care services to pupils; and (b) agreed to comply with the policies.
2. DOA must approve the application. (DOA must notify the provider and the school board or governing body if DOA has approved or disapproved the application.) Approval is valid for one year. Renewal requires a joint renewal application and must include information about the activities the individual has undertaken as a volunteer health care provider in the previous 12 months.
3. The provider must provide to the school board or governing body proof of satisfactory completion of any relevant competency requirements as specified by the Department of Public Instruction (DPI) by administrative rule.

b. Permitted and Prohibited Services

The bill specifies that a volunteer health care provider may provide services under the Volunteer Health Care Provider Program at a public school, charter school, or MPCP school only to pupils from four-year old kindergarten to grade six. Any such services must be provided without charge at the school and must be available to all pupils at the school, regardless of income. The bill permits certain services and prohibits other services as follows:

(1) Permitted Services

The bill specifies that only the following services may be provided under the Volunteer Health Care Provider Program at a school:

- (a) Diagnostic tests, unless specified as a prohibited service in item (2), below.
- (b) Health education, unless specified as a prohibited service in item (2), below.
- (c) Information about available health care resources, unless specified as a prohibited service in item (2), below.
- (d) Office visits, unless specified as a prohibited service in item (2), below.
- (e) Patient advocacy, unless specified as a prohibited service in item (2), below.
- (f) Referrals to health care specialists, unless specified as a prohibited service in item (2), below, but not including referrals to reproductive health care specialists.
- (g) Dental services, including simple tooth extractions and any necessary suturing relating to the extractions, performed by a dentist who is a volunteer health care provider; and dental hygiene services, performed by a dental hygienist who is a volunteer health care provider, unless specified as a prohibited service in item (2), below.
- (h) First aid for illness or injury.
- (i) Unless specified as a prohibited service in item (2), below, administration of: (i) a nonprescription drug or prescription drug in compliance with written instructions of a pupil's parent or guardian if the parent or guardian consents in writing; (ii) epinephrine auto injector for severe allergic reaction; and (iii) glucagon to a pupil who appears to be experiencing a severe hypoglycemic reaction.
- (j) Health screenings.
- (k) Any other health care services designated by DPI by administrative rule.

(2) Prohibited Services

The bill specifies that a volunteer health care provider at a school under the Volunteer Health Care Provider Program may ***not*** provide any of the following:

- (a) Hospitalization.

(b) Surgery, except if it is first aid or permitted under the rules promulgated by DPI.

(c) Referral for abortion.

(d) A contraceptive article (defined as any drug, medicine, mixture, preparation, instrument, article, or device of any nature used or intended or represented to be used to prevent a pregnancy).

(e) Pregnancy test.

(3) Instruction in Human Growth and Development

The bill specifies that a volunteer health care provider at a school under the Volunteer Health Care Provider Program may provide instruction in human growth and development *if* the instructional program is in compliance with s. 118.019, Stats., but may *not* provide instruction on any of the following topics: human sexuality; reproduction; family planning; human immunodeficiency virus and acquired immunodeficiency syndrome; prenatal development; childbirth; adoption; available prenatal and postnatal support; and male and female responsibility.

Senate Amendment 1

Senate Amendment 1 adds, to the bill's provisions requiring the provider to provide to the school board or governing body proof of satisfactory completion of any relevant competency requirements as specified by the DPI by administrative rule, a requirement that the provider must also consult with the school nurse, if any, of the school.

Legislative History

Assembly Bill 829 was passed by the Assembly on a voice vote on December 13, 2005. The Senate Committee on Health, Children, Families, Aging, and Long Term Care took executive action on the bill on January 18, 2006, and recommended introduction and adoption of Senate Amendment 1 by a vote of Ayes, 5; Noes, 0; and recommended passage of the bill, as amended, by a vote of Ayes, 5; Noes, 0.

LR:jal